

GET THREE JURORS FOR THAW TRIAL

Five Out of the Twelve Needed Have Now Been Secured.

ALL THOSE ACCEPTED ARE MARRIED MEN

Line of Questioning Followed by Prisoner's Counsel May Indicate Line of Defense. Mother of Defendant Not Able to Appear in Court.

NEW YORK, January 24.—After trying for more than four hours of the morning and afternoon sessions to secure an additional juror to try Harry K. Thaw for killing Stanford White, and just when counsel and spectators, and even the defendant himself, were drowsy from the monotony of the proceedings, there came a sudden change in the tide, and within the last three-quarters of an hour three new jurors were accepted and sworn in. When court adjourned for the day, five jurors had been accepted.

Twenty-three talemans had been examined without success, when the unexpected happened, and two talemans in succession proved acceptable to both District Attorney Jerome, representing the people, and the defendant's attorneys. Then followed the drawing of five more talemans, who were excused for one reason or another. Henry C. Meredyth, a piano dealer, about fifty-five years of age, was the thirty-first talemans to be called, and he had never formed an opinion in the case and had read but little about it in the papers; he was quickly accepted.

All Are Married Men.

The other jurors chosen to-day were George Pfaff, thirty-four years of age, a dealer in machinery, supplies, and Arthur S. Campbell, forty-two years of age, a superintendent of telegraph and telephone construction. The two jurors selected the first day of the trial, were Denning B. Smith, a retired manufacturer, who will serve as foreman, and Charles H. Peck, a shipyard agent. Each of the jurors is married and has a family.

The tedious manner in which the selection of jurors proceeded to-day makes it difficult to predict just when the trial panel of twelve will finally be filled. The order of the court that the jury must be kept together under the care of bailiffs, had the apparent effect of making many of the talemans reluctant to serve. Various excuses were offered to-day, one man declaring that to be locked up for two months would wreck his nerves as to make a rational consideration of the case an impossibility. He was excused.

Fifty Called Already.

The nineteen talemans examined yesterday and the thirty-one to-day being the total thus far called for examination up to fifty. If the ratio continues, it will require two or three days yet to complete the jury. There was a feeling after the adjournment of court to-night, however, that both sides would try to facilitate matters as much as possible. Of the thirty peremptory challenges each side has used. The defense to-day seemed willing to accept any talemans who made reasonable answers to the questions propounded by the District Attorney.

The Line of Defense.

The fact that Thaw's attorneys asked seven of the talemans if they had any prejudice against any particular line or character of defense was taken by many to indicate that the defense may be either the so-called "unwritten law" or emotional insanity, or a combination of both. Thaw's attorneys again to-day offered no objections, however, to the district attorney's question as to whether or not the proposed jurors would be guided by the actual law as laid down by the court, to the exclusion of any fanciful law they might themselves import into the case. Each of the accepted jurors promised to abide by the interpretation of the court.

Mrs. William Thaw, mother of the defendant, was not in court to-day. She was greatly fatigued by the long sessions of yesterday, and was on the verge of a collapse at one time Wednesday night. She remained in her apartments to-day, where she was attended by her daughter, the Countess of Yarmouth. The other members of the family were in their accustomed seats in court behind the defendant.

Howard Nesbit, a brother of Mrs. Harry K. Thaw, also was in court, sitting well in the rear with the man who was Stanford White's secretary. Neither he nor his sister glanced at each other.

Wife and Friends Enter.

None of the confusion which was so apparent yesterday marked the opening of the second day of the trial. To-day the police had the situation well in hand, and those who had no immediate business in the courtroom learned yesterday the full story of trying to break through the cordon of bluecoats.

Nearly half an hour before the morning session opened, Mrs. Evelyn Nesbit Thaw made her way into the courtroom, through the main doorway. She wore the same blue dress as yesterday. Her features were again obscured by the heavy white tulle veil. May McKelvie followed close behind the prisoner's wife, and then came Mr. and Mrs. George Lauder Carnegie. Mrs. Carnegie was muffled in furs. Thaw's imposing array of counsel, numbering six altogether, reached the courtroom shortly before 10:30 o'clock, at which time Thaw was in the prisoner's pen, waiting to make his entrance. The newspaper writers and jury talemans again filled every available seat in the room, and the trial was begun.

Joseph C. Thaw, brother of the accused, was in court for the first time.

Trying For Good Jury.

The district attorney followed in detail

MERCHANTS HAVE ANNUAL BANQUET

Enthusiasm and Good Fellowship At Gathering Last Night.

SOME NOTABLE SPEECHES MADE

Former Governor Montague, Mayor McCarthy, Congressman Lamb and Others Respond to Toasts—Evening Was Much Enjoyed by Everybody.

Abundantly marked by enthusiasm and good fellowship was the first annual banquet of the Retail Merchants' Association of Richmond, held at Murphy's last night, when 150 of the city's most prominent and enterprising business men spent a joyous evening around the festive board. The speeches were all appropriate and of a very high order, and the menu was selected and served in the best of taste. The affair lasted until long past midnight, and no one seemed to tire. On the other hand, they were all highly entertained, and enjoyed not only the fine addresses, but the opportunity for social intercourse with one another.

Notable Guests.

It was a source of deep regret to all that President T. A. Miller was absent, owing to sickness in his family. For this reason, Mr. Samuel Cohen, first vice-president, occupied the chair, and sat to the left of Mr. Wyndham H. Meredith, who made a very happy toastmaster. Ranged along the main table with these two were former Governor Montague, Congressman Lamb, Mayor McCarthy, Mr. Norman H. Johnston, of Raleigh, and Mr. M. Trustrup, of Norfolk, who made the speeches of the evening, while at three long tables running lengthwise the hall sat nearly 150 merchants.

The hall was elaborately decorated with flags, palms and blooming flowers. Kossuth's hand discoursed sweet music at intervals during the evening. Everybody seemed to be in a good humor, and the most staid and dignified entered heartily into the spirit of the occasion. It was nearly 10 o'clock when the party began to disperse, and presented Mr. Wyndham H. Meredith, who proved a great success as toastmaster. He took a humorous shot at nearly all those whom he was to introduce, and kept the audience in an almost continuous roar of laughter.

Mr. Meredith said this was an age of co-operation and of combination. He emphasized the importance of the position of the retail merchants in the business world, and declared that Richmond should feel proud that it was of such a high class.

Montague Speaks.

Mr. Meredith presented Hon. A. J. Montague in a most felicitous manner, and the former executive was given a fine reception.

When he was allowed to proceed Mr. Montague made some pleasant and humorous references to Mr. Meredith's introductory remarks, and launched into a most attractive treatment of the subject of "The future of the South."

"I may say," he went on, "that the retail merchants formed and built up Richmond. There isn't a prosperous city to-day in America, where the retail merchant is not preponderant."

"No community has ever made the commercial strides made in our own country, and yet we have but barely scratched the surface."

"We have now stopped sprouting, and are developing those things that have already started."

"I believe in patronizing home industries, but if we have more than we can sell here, we ought to send it somewhere else."

"This State and the South are places to come to and stay and not places to go from."

"If there ever was a time when our young men had an opportunity to do well in their own State, it is now."

"The great center of gravity has shifted from foreign countries and is hovering somewhere between the Atlantic and the Pacific, and the Gulf of Mexico, and Canada to-day has as good a chance in the commercial world at home as anywhere else on earth."

Governor Montague spoke of the influence of the business man in public affairs, and declared that it was his duty to look for this country to prosper wholly through the statesmen in office. It is the unofficial statesmen, down among the rank and file of the community, that is the hope of good government in this land. I think this city has a great future before it. I congratulate you upon the progress and efficiency of your association."

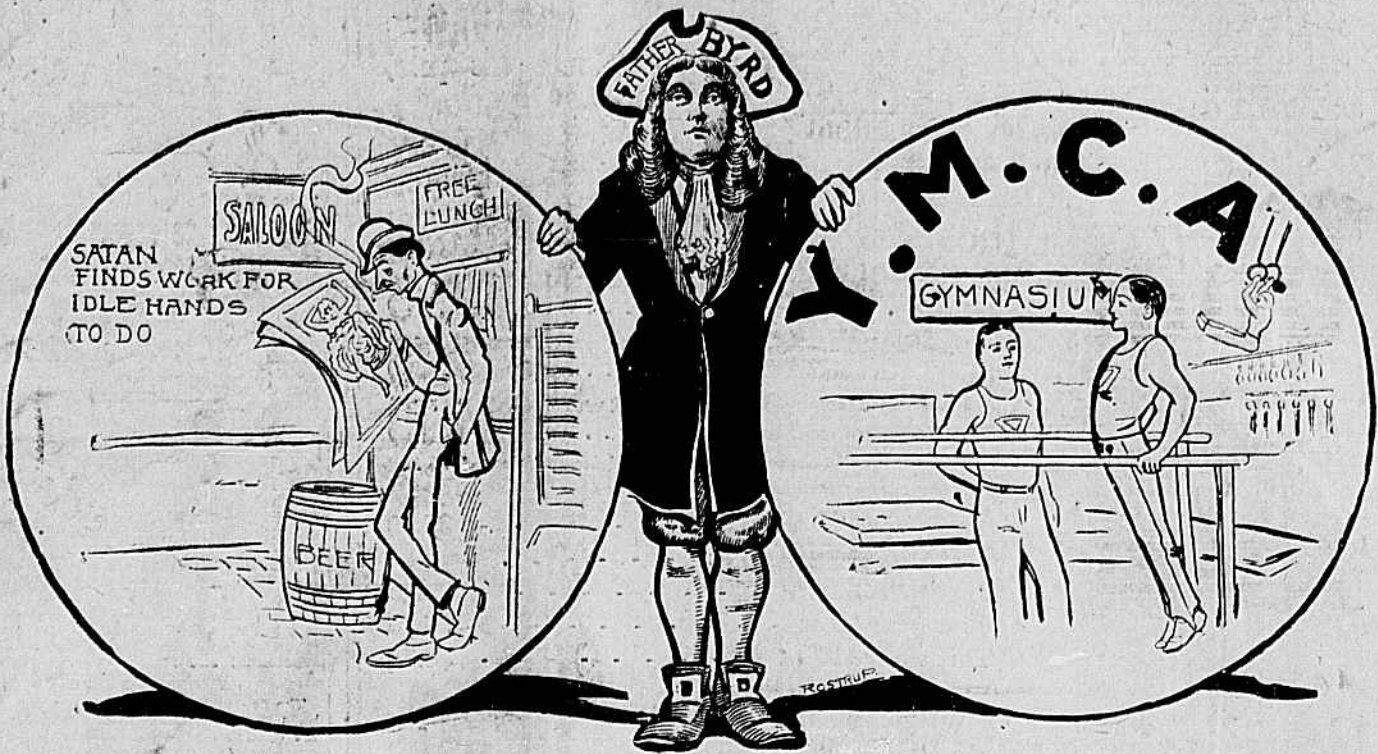
What Congressman Said.

Congressman Lamb was presented and was loudly applauded as he arose to speak. The Congressman declared that for twenty years he had been a retail merchant, and he felt that he was in the house of his friends. He had kept in close touch with the retail merchants. He had championed their cause; he had sent them copies of the pure food bill, and interpreted it for them.

Captain Lamb was quite humorous at times, and provoked great laughter and applause. He was referring to Governor Montague as a young man who had been raised on oysters and salt fish, when the latter interrupted to say it was "oysters, mosquitoes and chills." "Anyhow," he said, "I have been trained upon it to make these beautiful extemporaneous speeches."

The speaker declared he would call names in speaking of Richmond's prosperity, and said her clearing-house re-

BUSINESS MAN, WHICH MAKES THE BEST EMPLOYEE?



CADETS UNDER SEVERE PENALTY

While Reinstated, Must Remain in Limits of Post for Remainder of Session.

REDUCE STEVENS TO RANKS

Richmond Cadet Gets Severe Punishment Than Others on Account of Being Officer.

(Special to The Times-Dispatch.)
LEXINGTON, VA., January 24.—The order published this afternoon at dress parade at the Virginia Military Institute contains the findings of the board of visitors reinstating the seventy-four members of the third class dismissed on the 8th instant by the superintendent for wilful and deliberate violation of paragraph 123 of the regulations, forbidding combinations or agreements among cadets with the view of violating or evading any regulation or doing any act contrary to the rules of good order and subordination, the execution of which order was suspended until it could be reviewed by the board of visitors.

The order in full follows:

1st. That the charges made against said cadets have been fully proven and established, not only by evidence, but by admission.

2d. That in making the said order of dismissal the superintendent discharged his duty and had no election under the regulations to act otherwise than as he did, and his action is fully approved by the board.

Nevertheless, it appearing to the board from the evidence that many and probably most of the said cadets did not fully appreciate the meaning of their action, and did not intend to defy authority, but were misled into participation in this violation of the regulations by a few of their associates, who acted with the evil design of involving a large number of their classmates in similar troubles to those already impending over them, and thus to shield themselves so far as practicable from their own prior discreditable conduct; and it further appearing to the board, greatly to its regret, impracticable to obtain the evidence by which to ascertain certainly the names of these evil-minded ringleaders, the board, considering all conditions, is unwilling to impose the extreme penalty of dismissal upon all the cadets named, but deems it proper that suitable penalties be imposed, therefore it is ordered by the board that said order of January 8, 1907, be so modified as to remit the penalty of dismissal, and in lieu thereof the

(Continued on Third Page.)

BANK GIVES \$1,000 TO Y. M. C. A. BUILDING FUND

THE AMERICAN NATIONAL BANK.

Richmond, Va., January 24, 1907.

Dear Sir:—Your communication of 19th instant, regarding a subscription by this bank to the Building Fund of the Y. M. C. A., has been carefully considered by the directors at their regular meeting held this day. It was ordered that this bank contribute the sum of \$1,000 to the fund for the purpose of constructing a suitable Y. M. C. A. building in this city. The reasons which prompted the directors and in their opinion justifies them in appropriating this amount for the above purpose are as follows:

1st. This bank employs a number of men of whom the highest order of integrity and character is required. Many of our employees will avail themselves of the numerous advantages of moral, mental and physical development, which will be offered by the association. Banks, railroad companies and other corporations throughout the country are providing such opportunities in the equipment of their own buildings. As this is not feasible with us, we feel that we can obtain practically the same results by assisting in this work.

2d. The successful issue of this campaign, the securing of \$200,000 in about fifteen days, will put Richmond in a very favorable light as a progressive and enterprising city; and the construction of the proposed handsome building will add much to the material welfare of the city, in the improvement and upbuilding of which this institution is most vitally interested.

We sincerely hope that the full amount will be raised by the 31st instant.

Respectfully,
O. J. Sands, C. E. Wingo, Edgar G. Gunn, Wm. C. Camp, W. J. Payne, Philip Whitlock, Emmet Seaton, M. C. Patterson, R. H. Harwood, Jas. R. Gordon, Directors.

ONE MARRIAGE STARTS ANOTHER

Young Couple Attending Wedding Take the Cue and Elope to Pelham.

(Special to The Times-Dispatch.)
DANVILLE, VA., January 24.—While attending the marriage of Miss Cassie Shelton and Abner Gardner at the Oak Grove Baptist Church, this county, last night, the notion struck Mary Woodall and Tom Bohannon to elope and get married.

While the notes of the wedding march pealed forth, the couple slipped away from the rest of the gathering and started for Pelham, a distance of about twenty-five miles, in a buggy.

Last night was one of the coldest of the winter in this section, and only the most ardent of lovers could have braved the raging and biting winds.

Outwits Her Papa.

When the father of the girl, who is fifteen years of age, heard of the plans of the couple, he proceeded to Danville in a buggy in hopes of meeting them. He arrived just a little bit too late, as the parties were then several miles beyond the city. The famous Gretna Green is nine miles from here.

Mr. Woodall remained in town to-day, and in conversation with a reporter bitterly regretted the elopement. He seemed to take the case philosophically, however, and remarked with good humor: "Well, what's the use now?"

STROTHER BOYS ARE INDICTED

Grand Jury Brings in True Bill in Famous Bywaters Case on Three Counts.

CULPEPER, VA., January 24.—The hitherto pent up feelings of the public were somewhat allayed to-day in the famous Bywaters-Strother murder case when the special grand jury, late in the evening concluded their finding and brought into court a true bill against the defendants, James and Philip J. Strother, for the murder of William Bywaters, at Rotherwood, the Strother home, in this county. The foramen of the grand jury was Mr. Joseph Wilmer, so appointed by the court.

The grand jury had some fifteen or sixteen witnesses before them to-day, and took five of the nine of the grand jury to concur in finding the indictment. The indictment contained three counts, all of which practically charged murder in the first degree. The defendants' trial, in accordance with the agreement of counsel, both for the Commonwealth and the defense, was set for the 21st day of February next. While there is a great deal of feeling on both sides, yet all is quiet. All the parties to the unfortunate occurrence are equally prominent both in the social and business affairs of this county.

THEATRE BURNS IN NATIONAL CAPITAL

Academy of Music Practically Destroyed and Company Playing Loses Its Effects.

WASHINGTON, D. C., January 24.—The Academy of Music, at Ninth and D Streets, Northwest, was almost completely gutted by fire of unknown origin, which broke out about 5 o'clock this morning. A number of offices were located in the building, as was also the Spencerian Business College. None of these were damaged by fire, but were flooded by water, the fire being confined to the stage and auditorium of the theatre. The loss is estimated at \$80,000. The building was insured for \$75,000.

Two horses, drawing engine No. 20, were killed in a collision with a street car while on the way to the fire.

The Academy of Music was a popular playhouse, and the attractions usually offered were of a melodramatic character, the bill this week being "The Secrets of the Police." All of the scenery, properties and wardrobe belonging to the production were destroyed, causing a loss of \$28,000.

UMLAUF LAW WILL STAND UNCHANGED

Aldermen Reconsider Action on Amendment and Reject It.

RESOLUTIONS FOR ARMORY FOR BLUES

Board Stands By Committee and Refuses to Agree With Council in Auditorium Matter. Firemen Thanked for Heroic Work—Dabney's Statement.

The Board of Aldermen last night, after hearing statements from Aldermen Dabney, Remond and Satterfield relative to their attitude toward the ordinance deferring the closing hour for saloons until 2 A. M., unanimously decided to reconsider the vote by which the Board had on January 16th adopted this measure, and when the amendment came up anew on its passage it was defeated. The vote was 12 to 1, but the chair, judging by the sound, declared the amendment lost. Thus ends what will probably be the last attack on the Umlauf early-closing law, under which saloons can only remain open until midnight.

A number of resolutions or ordinances were introduced under suspension of the rules and referred to committees or passed. One of these, offered by Alderman Robert L. Masurier, instructs the Finance Committee to report an ordinance providing for the construction of an armory for the Richmond Light Infantry Blues Battalion. This went to the Finance Committee without being put on its passage, but will have the same effect as if passed.

Mr. Dabney introduced the ordinance proposing the establishment of an electrical lighting and power plant, it being identical with the measure now before the Common Council. This also went to the Finance Committee, with instructions to report to either branch. The purpose of the introduction of the ordinance in the Board is to secure a report thereon to the Board.

When the Board met the call for the meeting was read, it being for the specific purpose of reconsidering the vote on the amendment to the Umlauf law. Letters were also read from Mr. Dabney to President Turpin, of the Board, showing that Mr. Dabney himself had called the meeting. He had voluntarily expressed a willingness to unite with Mr. Adams in asking the reconsideration of the amendment was passed. The letters of Mr. Dabney to President Turpin are as follows:

The Meeklenburg, Chase City, Va., January 18, 1907.

Mr. W. M. Turpin, Richmond, Va.:—

No doubt by my enemies, that an undue advantage had been taken by me on the Umlauf ordinance at the last meeting of the Aldermen, which I contend is not so, inasmuch as I acted upon my rights in the subject, as provided by the rules; further, the roll indicated a healthy majority, and had every member remained, I have no doubt it would have been a much larger majority.

As an evidence of good faith, and in justice to myself and all others on this subject, and those interested, I would appreciate your calling a special session of the Board for Monday evening next, at which time I will move a reconsideration of the question, to prove no advantage was desired, or necessary to pass the amendment.

I am here for my health, where I had expected to remain for quite a while; but if this is done, I will return to the city to attend this occasion, when an opportunity will be presented to justify my action.

Under the circumstances, I think you could, in justice to me and the cause, call a meeting without requiring the member signing for such a call, to notify me in the city. I would call upon you personally with the required number.

I have the confidence in my associates in the Board to believe they have the courage of their convictions, and an ability to resist the influence of my mistakes. I think I can say the same for them. I will return to Richmond to attend this meeting if called. Yours truly, W. T. DABNEY.

The Meeklenburg, Chase City, Va., Jan. 21, 1907.

Dear Sir:—Your favor regarding special session to hand, I will at a great inconvenience and considerable expense be promptly on hand.

My only object in making the request, was to show that the matter was not handled as our mutual friend, The Times-Dispatch, would have it. I am sure you will further justify the Board's action as being just and proper, so far as the procedure was concerned, and further to disabuse the minds of those so impressed that no advantage was taken or intended.

As soon as the Board meets and its object is reported by the clerk, I would like to be recognized. This, I think, I am entitled to under the circumstances.

Thanking you for the consideration extended, I remain, Yours, etc., W. T. DABNEY.

As soon as the motion to reconsider